

# EXHIBIT 1

KEITH REED, et al. v.  
ALECTO HEALTHCARE SERVICES, LLC, et al.

AUGUST ULLUM  
May 11, 2022

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

\*\*\*\*\*  
KEITH REED, LISA DOLENCE,  
ELIZABETH SCHENKEL, EMILY WINES,  
MARK GARAN, and AUGUST ULLUM,  
individually and on behalf of others  
similarly situated,

Plaintiffs,

v. CIVIL ACTION NO. 5:19-CV-263  
Judge Bailey

ALECTO HEALTHCARE SERVICES, LLC,  
and ALECTO HEALTHCARE SERVICES WHEELING,  
LLC, d/b/a OHIO VALLEY MEDICAL GROUP  
and d/b/a OVMC PHYSICIANS,

Defendants.

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VIDEOTAPED VIDEOCONFERENCE DEPOSITION of  
AUGUST ULLUM, taken by the Defendants in the  
above-entitled action, pursuant to notice, before Twyla  
Donathan, Registered Professional Reporter and Notary  
Public, via Zoom Videoconferencing, on the 11th day of  
May, 2022, beginning at 9:00 a.m.

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AUGUST ULLUM  
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1 schedule. Do you recall ever working overtime once  
2 you moved into the staff PT position?

3 A I did what was ever necessary to take care  
4 of my clients.

5 Q I understand that, sir.

6 A So if it did involve working a little  
7 overtime, that wasn't a big deal to me because my  
8 patients came first.

9 Q I'm very glad to hear that was your  
10 attitude, sir. Do you remember specifically working  
11 any overtime between that April 2019 period and then  
12 when your employment ended?

13 A Not specifically, ma'am.

14 Q Okay. Was it something that happened  
15 regularly or would it have been rare?

16 A Probably rarely.

17 Q After you moved to the staff PT position,  
18 did you have health insurance coverage through your  
19 employment?

20 A I was covered under my wife's insurance.

21 Q Okay. And you elected to be covered under  
22 your wife's insurance, correct?

23 A Yes, ma'am.

24 Q Okay. What about dental insurance, was

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1 Q Yes, sir.

2 A Approximately 134,000, 135,000 a year.

3 Q And correct me if I'm wrong, but I believe  
4 you testified that you couldn't remember your hourly  
5 wage after you went to a staff PT position?

6 A Whatever 100,000 divided by 2,080 would be.

7 Q I can do some quick math. I represent to  
8 you that according to my calculator, that's 48.076.  
9 Does that sound like -- does that refresh your  
10 recollection at all?

11 A Yeah. That's fine.

12 Q Okay. Regardless of whatever your hourly  
13 rate was, you think that if you worked an entire full  
14 year, it came out to a hundred grand; is that right?

15 A As of the end of April of '19, yes.

16 Q Okay. So if you had worked -- your  
17 understanding is if you had worked in that staff  
18 position from April of 2019 until April of 2020, you  
19 would have earned \$100,000 in wages over the course  
20 of that year?

21 A Yes, ma'am.

22 Q Okay. Were you aware if other departments  
23 in the hospital were doing the same kind of cleaning  
24 and inventorying that was happening in the PT

Payroll: OVREG (Reg &amp; Special Payments)

Timecard date: 09/07/19  
21.7093 - PHYS THER HIGHLANDS

NAME	NUMBER	TC	DATE	GROSS	CK/DD #	EARNINGS				WITHHOLDING			BENEFITS							
		PAY DATE		NET	EMP TYPE	EARNING	HOURS	SHF	JOB CODE	DEPARTMENT	CONTRACT	RATE	AMOUNT	WITHHOLD	AMOUNT	ARREARS	PLAN	HR BASE	EARNED	TAKEN
GILHAM,KYLEE MARIE	2174978	09/07/19	1618.74	D546922.1	(STANDARD)	1	2290		21.7093		20.86000									
		09/13/19	1177.60	FT	REG	24.400	1	2290	31.7090		20.86000	508.98	HPLNSFT	50.00		PTO-CURR	77.600	4.477	26.100	
					REG	27.100	1	2290	31.7090		20.86000	565.31	VISION E	3.38						
					PTO-CURR	15.600	1	2290	31.7090		20.86000	325.42	DENTAL/S	5.67						
					PTO-CURR	10.500	1	2290	31.7090		20.86000	219.03	FICA-SS	96.70						
													FICA-MED	22.62						
													401K - M	80.94						
													FIT	134.95						
													SIT-OH	34.51						
													WHOLELIF	12.37						
SHAHSAVARI,ROZITA	2139004	09/07/19	2150.21	D546511.1	(STANDARD)	1	2280		21.7093		36.13000									
		09/13/19	1277.57	PTR	REG	1.800					36.13000	65.03	HPLNSFT	50.00		PTO-CURR	58.500	7.200	48.000	
					REG	3.000	1	2280	21.7770		36.13000	108.39	VISIONES	6.13						
					REG	5.700	1	2280	21.7770		36.13000	205.94	DENTAL/F	17.01						
					HOL	1.800					18.67000	33.61	FICA-SS	128.78						
					PTO-CURR	32.000					36.13000	1156.16	FICA-MED	30.12						
					PTO-CURR	16.000					36.13000	578.08	401K - M	215.02						
					BWK1.00	3.000	1	2280	21.7770		1.00000	3.00	FIT	218.27						
													SIT-WV	79.99						
													CIT-MF	3.95						
													UNLIFE	47.55						
													CRITILL	12.50						
													ACCIDEN	12.30						
													VOL LTD	29.42						
													STDF MOU	21.60						
ULLUM,AUGUST ROBERT II	2170650	09/07/19	3846.40	D546811.1	(STANDARD)	1	2280		21.7093		48.08000									
		09/13/19	2790.46	FT	REG	40.000					48.08000	1923.20	FICA-SS	238.48		PTO-CURR	80.000	6.154	10.500	
					REG	29.500					48.08000	1418.36	FICA-MED	55.77						
					PTO-CURR	10.500					48.08000	504.84	FIT	558.94						
													SIT-WV	201.75						
													UWAY	1.00						
WELLING,KARA CHRISTINE	3196557	09/07/19	1635.23	D547317.1	(STANDARD)	1	2280		21.7093		32.77000									
		09/13/19	1249.88	PTR	REG	26.000					32.77000	852.02	FICA-SS	101.38		PTO-CURR	49.900	2.879	8.100	
					REG	15.800					32.77000	517.77	FICA-MED	23.71						
					PTO-CURR	0.500					32.77000	16.39	401K - M	81.76						
					PTO-CURR	7.600					32.77000	249.05	FIT	117.02						
													SIT-WV	61.48						
-- DEPT TOTAL --																				
EARNING		HOURS		AMOUNT		WITHHOLDING			AMOUNT		ARREARS		BENEFIT		EARNED		TAKEN			
REG		173.300		6165.00		HPLNSFT			100.00				PTO-CURR		20.710		92.700			
HOL		1.800		33.61		VISION E			3.38											
PTO-CURR		92.700		3048.97		VISIONES			6.13											
BWK1.00		3.000		3.00		DENTAL/S			5.67											
						DENTAL/F			17.01											
						FICA-SS			565.34											
						FICA-MED			132.22											
						401K - M			377.72											
						FIT			1029.18											
						SIT-WV			343.22											
						SIT-OH			34.51											

Payroll: OVREG (Reg &amp; Special Payments)

Timecard date: 09/21/19  
21.7093 - PHYS THER HIGHLANDS

NAME	NUMBER	TC	DATE	GROSS	CK/DD #	EARNINGS				WITHHOLDING			BENEFITS							
		PAY DATE		NET	EMP TYPE	EARNING	HOURS	SHF	JOB CODE	DEPARTMENT	CONTRACT	RATE	AMOUNT	WITHHOLD	AMOUNT	ARREARS	PLAN	HR BASE	EARNED	TAKEN
GILHAM,KYLEE MARIE	2174978	09/21/19	2574.10	D547883.1	(STANDARD)	1	2290		21.7093		20.86000									
		09/27/19	1845.46	FT	REG	38.500	1	2290	31.7090		20.86000	803.11	HPLNSFT	50.00		PTO-CURR	80.000	4.615	57.499	
					REG	27.400	1	2290	31.7090		20.86000	571.56	VISION E	3.38						
					PTO-CURR	1.500	1	2290	31.7090		20.86000	31.29	DENTAL/S	5.67						
					PTO-CURR	12.600	1	2290	31.7090		20.86000	262.84	FICA-SS	155.93						
					PTO-PAID	43.399	1				20.86000	905.30	FICA-MED	36.47						
													401K - M	83.44						
													FIT	311.45						
													SIT-OH	69.93						
													WHOLELIF	12.37						
SHAHSAVARI,ROZITA	2139004	09/21/19	2312.32	D547546.1	(STANDARD)	1	2280		21.7093		36.13000									
		09/27/19	1369.91	PTR	PTO-CURR	32.000					36.13000	1156.16	HPLNSFT	50.00		PTO-CURR	64.000	7.877	64.000	
					PTO-CURR	32.000					36.13000	1156.16	VISIONES	6.13						
													DENTAL/F	17.01						
													FICA-SS	138.83						
													FICA-MED	32.47						
													401K - M	231.23						
													FIT	250.37						
													SIT-WV	88.75						
													CIT-MF	4.25						
													UNLIFE	47.55						
													CRITILL	12.50						
													ACCIDEN	12.30						
													VOL LTD	29.42						
													STDF MOU	21.60						
ULLUM,AUGUST ROBERT II	2170650	09/21/19	2934.80	D547792.1	(STANDARD)	1	2280		21.7093		48.08000									
		09/27/19	2208.88	FT	REG	4.000					48.08000	192.32	FICA-SS	181.96		PTO-CURR	61.040	4.695	57.040	
					PTO-CURR	36.000					48.08000	1730.88	FICA-MED	42.55						
					PTO-CURR	21.040					48.08000	1011.60	FIT	357.92						
													SIT-WV	142.49						
													UWAY	1.00						
WELLING,KARA CHRISTINE	3196557	09/21/19	232.20	D548235.1	(STANDARD)	1	2280		21.7093		33.41000									
		09/27/19	196.20	PTR	REG	4.000					33.41000	133.64	FICA-SS	14.40		PTO-CURR	6.950	0.401	2.950	
					PTO-CURR	2.950					33.41000	98.56	FICA-MED	3.37						
													401K - M	11.61						
													SIT-WV	6.62						
-- DEPT TOTAL --																				
EARNING		HOURS		AMOUNT		WITHHOLDING		AMOUNT		ARREARS		BENEFIT		EARNED		TAKEN				
REG		73.900		1700.63		HPLNSFT		100.00				PTO-CURR		17.588		181.489				
PTO-CURR		138.090		5447.49		VISION E		3.38												
PTO-PAID		43.399		905.30		VISIONES		6.13				DENTAL/S		5.67						
						DENTAL/F		17.01				FICA-SS		491.12						
						FICA-MED		114.86				401K - M		326.28						
						FIT		919.74				SIT-WV		237.86						
						SIT-WV		237.86				SIT-OH		69.93						
						CIT-MF		4.25												

Payroll: OVREG (Reg & Special Payments)

Timecard date: 10/05/19  
21.7093 - PHYS THER HIGHLANDS

NAME	NUMBER	TC	DATE	GROSS	CK/DD #	EARNINGS				WITHHOLDING				BENEFITS						
		PAY DATE		NET	EMP TYPE	EARNING	HOURS	SHF	JOB CODE	DEPARTMENT	CONTRACT	RATE	AMOUNT	WITHHOLD	AMOUNT	ARREARS	PLAN	HR BASE	EARNED	TAKEN
SHAHSAVARI,ROZITA	2139004	10/05/19	2312.32	D548437.1	(STANDARD)	1	2280		21.7093		36.13000									
		10/11/19	1369.91	PTR		PTO-CURR	32.000				36.13000	1156.16	HPLNSFT	50.00		PTO-CURR	64.000	7.877	64.000	
						PTO-CURR	32.000				36.13000	1156.16	VISIONES	6.13						
													DENTAL/F	17.01						
													FICA-SS	138.83						
													FICA-MED	32.47						
													401K - M	231.23						
													FIT	250.37						
													SIT-WV	88.75						
													CIT-MF	4.25						
													UNLIFE	47.55						
													CRITILL	12.50						
													ACCIDEN	12.30						
													VOL LTD	29.42						
													STDF MOU	21.60						
ULLUM,AUGUST ROBERT II	2170650	10/05/19	225.98	D548627.1	(STANDARD)	1	2280		21.7093		48.08000									
		10/11/19	203.22	FT		PTO-CURR	4.700				48.08000	225.98	FICA-SS	14.01		PTO-CURR	4.700	0.362	4.700	
													FICA-MED	3.28						
													SIT-WV	4.47						
													UWAY	1.00						
-- DEPT TOTAL --																				
EARNING		HOURS		AMOUNT		WITHHOLDING		AMOUNT		ARREARS		BENEFIT		EARNED		TAKEN				
PTO-CURR		68.700		2538.30		HPLNSFT		50.00		PTO-CURR		8.239		68.700						
						VISIONES		6.13												
						DENTAL/F		17.01												
						FICA-SS		152.84												
						FICA-MED		35.75												
						401K - M		231.23												
						FIT		250.37												
						SIT-WV		93.22												
						CIT-MF		4.25												
						UNLIFE		47.55												
						CRITILL		12.50												
						ACCIDEN		12.30												
						VOL LTD		29.42												
						STDF MOU		21.60												
						UWAY		1.00												
																NET PAY = 1573.13				